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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS:

KRISTIN K. MAYES, Chairman
GARY PIERCE
PAUL NEWMAN
SANDRA D. KENNEDY
BOB STUMP

Arizona Corporation Commission

DOCKETED

MAY - 7 2009

AZ CORP COMMISSION
DOCKET CONTROL

DOCKETED BY

IN THE MATTER OF:

ENERGETICS, INC., a Nevada corporation;
STEVEN P. GIUFFRIDA and MICHELLE
GIUFFRIDA, husband and wife,

RESPONDENTS.

DOCKET NO. S-20648A-09-0010

FIFTH
PROCEDURAL ORDER

BY THE COMMISSION:

On January 12, 2009, the Securities division ("Division") of the Arizona Corporation Commission ("Commission") filed a Notice of Opportunity for Hearing ("Notice") against Energetics, Inc. ("Energetics"), Stephen P. Giuffrida and Michelle Giuffrida, husband and wife (collectively "Respondents"), in which the Division alleged multiple violations of the Arizona Securities Act ("Act") in connection with the offer and sale of securities in the form of notes and/or investment contracts.

The Respondents were duly served with a copy of the Notice.

On January 23, 2009, a request for hearing was filed by the Respondents.

On January 27, 2009, by Procedural Order, a pre-hearing conference was scheduled on February 25, 2009.

On February 25, 2009, the Division and Respondents appeared with counsel to discuss issues arising from the Notice and stipulated to a status conference being scheduled after certain documents were reviewed.

On February 26, 2009, by Procedural Order, a status conference was scheduled for April 2, 2009.

On March 24, 2009, counsel for Respondents filed an Application for Withdrawal as Counsel of Record ("Application") pursuant to A.A.C. R14-3-104(E) and consistent with ER 1.16 stating that

1 Respondents had failed to meet their financial obligation for counsel's services. Counsel further
2 stated that he had provided notice to the Respondents of pending matters related to the case, such as
3 discovery, and the previously scheduled Examination Under Oath of Mr. Giuffrida. Notice of the
4 Application was also provided to Respondents.

5 On April 1, 2009, by Procedural Order, the Application of counsel was granted.

6 On April 2, 2009, the status conference was held with the Division present with counsel and
7 Mr. Giuffrida appeared on his own behalf. The Division indicated that the parties are attempting to
8 reach a resolution in the proceeding, and requested that another status conference be scheduled in
9 approximately 30 days.

10 On April 3, 2009, by Procedural Order, a status conference was scheduled on May 7, 2009.

11 On May 7, 2009, at the status conference, the Division appeared with counsel and attorney
12 Jeffrey Proper entered an appearance on behalf of the Respondents. The parties indicated that they
13 are attempting to resolve the issues in the proceeding and the Division requested that a hearing be
14 scheduled in the fall.

15 Accordingly, a hearing should be scheduled.

16 IT IS THEREFORE ORDERED that **hearing** shall be held on **October 13, 2009, at 10:00**
17 **a.m.** at the Commission's offices, 1200 West Washington Street, Hearing Room 1, Phoenix, Arizona.

18 IT IS FURTHER ORDERED that the parties shall set aside **October 14, and 15, 2009, for**
19 **additional days of hearing**, if necessary.

20 IT IS FURTHER ORDERED that the **parties shall exchange copies of their Exhibits and**
21 **Witness Lists by September 14, 2009**, with copies provided to the presiding Administrative Law
22 Judge.

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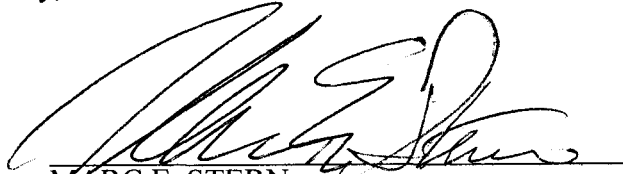
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1 IT IS FURTHER ORDERED that the Presiding Administrative Law Judge may rescind, alter,
2 amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by
3 ruling at hearing.

4 DATED this 7TH day of May, 2009.

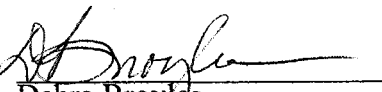
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7 
8 MARC E. STERN
ADMINISTRATIVE LAW JUDGE

9
10 Copies of the foregoing mailed/delivered
this 7th day of May, 2009 to:

11 Jeffrey Proper, Esq.
12 JEFFREY M. PROPER, PLLC
13 10645 North Tatum Blvd., Ste. C200-652
Phoenix, AZ 85028

14 Matt Neubert, Director
15 Securities Division
16 ARIZONA CORPORATION COMMISSION
1300 West Washington Street
Phoenix, AZ 85007

17 ARIZONA REPORTING SERVICE, INC.
18 2200 North Central Avenue, Suite 502
19 Phoenix, AZ 85004-1481

20 By: 
21 Debra Broyles
22 Secretary to Marc E. Stern
23
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25
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27
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